

Application No. 10/088,908  
Reply to Office Action of August 18, 2003

**REMARKS/ARGUMENTS**

Favorable consideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-10 are presently pending in this application, Claims 1-8 having been amended and Claims 9 and 10 having been newly added by the present amendment.

In the outstanding Office Action, the specification was objected to for informalities; the drawings were objected to for informalities; Claims 1-8 were objected to for informalities; Claims 1-8 were rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the enablement requirement; Claims 1-8 were rejected under 35 U.S.C. §112, second paragraph, for being indefinite; Claims 1, 4, 5, and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Urakabe et al. (U.S. Patent 6,208,084); and Claims 2, 3, 6, and 7 were rejected under 35 U.S.C. § 103(a) for being unpatentable over Urakabe et al. in view of Takahara et al. (U.S. RE37,219).

Applicants respectfully request that the title of the present application in the U.S. Patent & Trademark Office records be changed to reflect the title as listed in the specification and declaration.

In response to the objection to the drawings, submitted herewith is a separate LETTER SUBMITTING DRWING SHEET(S), submitting for approval changes to Figures 4 and 5. Specifically, Fig. 4 includes changes to show a pair of cell-type electrodes with Reference Numeral 20 and a display cell with Reference Numeral 21 and shows a relationship between a pin electrode 6 and a pair of cell-type electrodes 20 as described in the specification. Fig. 5 has been amended to show correct Reference Numerals and characters as specified in the specification. The specification has been corrected in consistent with the drawing changes requested above. Further, Figs. 12 and 13 have been added to show the

Application No. 10/088,908  
Reply to Office Action of August 18, 2003

subject matter recited in Claims 1 and 5, respectively. Furthermore, regarding Figures 1-3, it is respectfully submitted that as described in the specification, Figures 1-3 represent drawings disclosed in the co-pending application and thus the designation “Prior Art” is not believed to be appropriate nor warranted.

In response to the objection to the specification, Applicants have revised the specification to correct any informalities found therein. Hence, no further objection on these matters is anticipated.

With regard to the rejections under 35 U.S.C. §112, Claims 1-8 have been amended to clarify the subject matter recited therein. Thus, Claims 1-8 are believed to be in compliance with the requirements of the statute. Also, the claim amendments to Claims 1-8 are believed to be merely cosmetic and are not believed to narrow the scopes of the claims. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work in a joint effort to derive mutually satisfactory claim language.

Newly added Claims 9 and 10 find support in the specification, claims and drawings as originally filed. For example, Claims 9 and 10 are supported by Figures 4, 5, 6, 7, 9, 10 and 11, thus are not believed to raise a question of a new matter.

With regard to the 35 U.S.C §103(a) rejection based on Urakabe et al., it is respectfully submitted that the present application, filed on August 7, 2000, as an international application under PCT, and the cited reference Urakabe et al. were at the time of invention of the present Application was made, subject to an obligation of assignment to Mitsubishi Denki Kabushiki Kaisha. Therefore, as MPEP 2136.02 states that “[f]or applications filed on or after November 29, 1999, if the applicant provides evidence that the application and prior art reference were...subject to an obligation of assignment to the same person, at the time of the invention was made, any rejections under 35 U.S.C. 102e/103 based

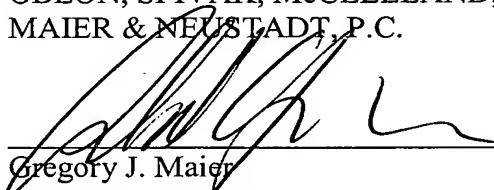
Application No. 10/088,908  
Reply to Office Action of August 18, 2003

on such a commonly owned reference should not be made or maintained," it is respectfully requested that the outstanding rejection based on Urakabe et al. be withdrawn.

In view of the amendments and discussions presented above, Applicants respectfully submit that the present application is in condition for allowance, and an early action favorable to that effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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Gregory J. Maier  
Attorney of Record  
Registration No. 25,599

Akihiro Yamazaki  
Registration No. 46,155

Tel: (703) 413-3000  
Fax: (703) 413 -2220

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